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November 23, 2004

**SUMMARY OF
EX PARTE PRESENTATION**

Ms. Marlene Dortch
Secretary
Federal Communications Commission
445 12th Street, SW, Room TWA325
Washington, DC 20554

**Re: New Part 4 of the Commission's Rules Concerning Disruptions to
Communications, ET Docket No. 04-35**

Dear Ms. Dortch:

On November 22, James W. Olson and I, representing the United States Telecom Association (USTA), Karen Possner, representing BellSouth Corporation, and Thomas Hughes, representing SBC Telecommunications, Inc., met with Scott Bergmann and Barry Ohlson, Legal Advisors to Commissioner Jonathan Adelstein. Participating in the meeting via teleconference were Ed Krachmer, Barbara Bouley and Dennis Killburg, representing Iowa Telecommunications Services. The purpose of the meeting was to discuss service outage disruptions, ET Docket No. 04-35.

USTA and the company representatives provided evidence of the significant economic and administrative burdens that would be imposed on USTA members by the new reporting requirement that wireline local exchange carriers must report as outages those non-customer affecting events in which a DS3 that is part of a Synchronous Optical Network ring switches to protect mode (i.e., a "DS3 simplex event"). Evidence presented was consistent with that in USTA's petition for stay.

In accordance with Section 1.1206(b)(2) of the Federal Communications Commission's rules, I am filing this letter electronically with your office for inclusion in the public record. Please feel free to telephone me at (202) 326-7321 with any questions.

Sincerely,

David Kanupke

David Kanupke
Director, National Security

Cc: Scott Bergmann
Barry Ohlson